

# EXHIBIT H

STATE OF NEW YORK  
COUNTY OF ERIE : BUFFALO CITY COURT

M.J. PETERSON, LLC

Plaintiff,

vs.

**AFFIDAVIT OF SERVICE**

WILLIAM J. WAGNER Jr.,

Index No. B98134

Defendant(s).

STATE OF NEW YORK ) COUNTY OF ERIE ) SS.:

The undersigned, being duly sworn, deposes and says:

That I am over the age of 18 years  
SUMMONS AND COMPLAINT on the Defendant's  
business, ON the \_\_\_ day of \_\_\_\_\_

8-10-07  
6:29 P.M.

a copy of the annexed  
place of abode/place of  
business:

1. [ ] by personally delivering to and leaving  
served to be the person described as the said  
Color- \_\_\_\_\_; Age- \_\_\_\_\_; Weight- \_\_\_\_\_;

per current  
resident -  
DTR no longer  
lives there

that I knew the person so  
; Skin Color- \_\_\_\_\_; Hair  
\_\_\_\_\_;

2. [ ] by personally delivering to and leaving  
person of suitable age and discretion, further  
\_\_\_\_\_; Weight- \_\_\_\_\_; Height- \_\_\_\_\_; Other-  
of the same to the Defendant at \_\_\_\_\_, Defendant's  
"Personal and Confidential", and not indicating  
action against said Defendant, with said mail

\_\_\_\_\_ a  
Hair Color- \_\_\_\_\_; Age-  
ID by mailing a true copy  
in an envelope marked  
"Personal and Confidential", and not indicating an  
action against said Defendant, with said mailing occurring on or within 20 days of the date of service.

3. [ ] by affixing a true copy thereof to the  
pursuant to 1 and 2 with due diligence on: 1) the  
day of \_\_\_\_\_, 200\_, at \_\_\_\_\_ AM/PM, AND by mailing a true copy of the same to the  
4) the \_\_\_ day of \_\_\_\_\_, 200\_, at \_\_\_\_\_ AM/PM, AND by mailing a true copy of the same to the  
Defendant at \_\_\_\_\_, Defendant's last known residence or business address, in an envelope marked "Personal and  
Confidential", and not indicating on the outside thereof that same was from an attorney or concerned an action against  
said Defendant, with said mailing occurring on or within 20 days of the date of service.

To the best of my knowledge, information and belief, said Defendant at the time of service was not in military  
service of the United States.

Sworn to before me this  
day of \_\_\_\_\_, 200\_.

\_\_\_\_\_  
PRINT NAME BELOW SIGNATURE

\_\_\_\_\_  
NOTARY PUBLIC

August 14, 2007 - Our file number- 20065569©

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